

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	4:05CR3018
v.	)	
	)	
DONALD G. ZOZAYA,	)	
	)	ORDER
Defendant.	)	
_____	)	

On May 16, 2005 defendant's counsel was granted leave to withdraw. Filing 17. New counsel has not yet entered an appearance.

IT THEREFORE HEREBY IS ORDERED,

1. This case is removed from the May 31, 2005 trial docket and is continued until further order, to be reset after an appearance by the new attorney.

2. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between May 18, 2005 and 30 days after the new attorney files an appearance shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 18<sup>th</sup> day of May, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge